

**Regular Session Minutes – Selectmen’s Meeting
Selectmen’s Meeting Room, Town Hall
Monday, August 8, 2016 - 7:30 p.m.**

PRESENT: Michael A. Rosenberg, Chair; Caroline Fedele; William S. Moonan; Mark Siegenthaler; Margot Fleischman; and Town Manager Richard T. Reed

ALSO PRESENT: EMD Millipore Representative Norman Delory; Learning Express Representative Sonya Kalajian; Conservation Commission candidates Tim Gray and Charles Lipson; Conservation Commission members Steven Hagan and Joe Guardino; TransAction Corporate Shuttles Operations Manager Lisa Cinella; Town Engineer Adrienne St. John; Assistant Town Manager Michael Rosen; Facilities Director Taissir Alani; Finance Committee member Ben Thomas; Brad Russell; Eric Willmann; Press representative Debra Parkhurst

Chair Rosenberg called the meeting to order at 7:30 p.m.

**17-21 Public Hearing
 Aquifer Protection Special Permit
 EMD Millipore – 80 Ashby Road**

**Mr. Siegenthaler moved to open the public hearing. Ms. Fedele seconded the motion.
The motion passed 5-0-0.**

Millipore representative Norman Delorey was present to answer any questions the Selectmen may have about the new generator. Mr. Delorey stated that he reviewed the proposed contingency items and had no issue with them.

**Mr. Moonan moved to close the public hearing. Ms. Fleischman seconded the motion.
The motion passed 5-0-0.**

Ms. Fedele moved that the Selectmen grant a Special Permit under Article 13 – Aquifer Protection Districts of the Zoning Bylaw to EMD Millipore at 18 Ashby Road. The permit is granted in accordance with and as outlined in the Special Permit request submitted by EMD Millipore; provided that all work shall be done in accordance with the plans entitled “EMD Millipore Building D Generator Project Site Plan” (dated June 20, 2016) by Electronic Environments Corp., 410 Forest Street, Marlborough, MA 01752. The permit is subject to the following contingencies:

- 1. EMD Millipore must submit an updated Hazardous Materials Contingency Plan Table to the Board of Health indicating change in the maximum quantity of fuel stored.**
- 2. A provision is put in place that would make spill containment equipment immediately available to seal the catch basin in the event of a spill.**

Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

**17-22 Common Victualler License Application
Learning Express – 168F Great Road**

Sonya Kalajian from the Learning Express explained that the grand opening of the Bedford store is on September 23, 2016. This is a flagship store in that it will also have a small café and children's play area where the other stores are strictly an education/toy store. No food will be prepared at the café but items will be purchased from Prince Street Café in Bedford.

Ms. Fedele moved that the Selectmen approve the Common Victualler's License for the Learning Express operating at 168F Great Road contingent upon obtaining a Certificate of Occupancy. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

17-23 Committee Appointment Interviews – Conservation Commission

Tim Gray and Charles Lipson were interviewed for the vacancy on the Conservation Commission (Concom). As the Selectmen Liaison to Concom, Mr. Siegenthaler explained that the primary duties are the administration of the Town and State's Wetlands Bylaws and determining whether a property is subject to those laws.

Mr. Lipson explained that he is a long time resident of the Town and would like to volunteer now that he has retired. He was a mechanical engineer and can read drawings. Mr. Lipson recognized that there would be a learning curve for him but would like to be a contributor.

Mr. Gray served Concom previously for five years. He resigned because his wife took a sabbatical out of state. He liked serving on the committee and understands the bylaws. He went on to say that serving on the commission is more of a commitment than other committees because members need to do their homework and need to be willing to provide opposing viewpoints if necessary.

Mr. Moonan asked if the candidates knew about any current issues or problems that the Commission is facing right now. Mr. Lipson stated that the implementation of the wetlands bylaws should be looked at with a fresh pair of eyes. Mr. Gray stated that public relations has been a long term issue in that many of the laws are unpopular and that residents need to be better educated about the process before coming in front of the Commission.

Conservation Commission members Steven Hagan and Joseph Guardino stated that they would like to recommend Charles Lipson for the vacancy.

Mr. Siegenthaler explained the Open Meeting Law, the Conflict of Interest Law, and the Rules of Civil Discourse. Mr. Siegenthaler encouraged the candidates to consider taking on a leadership role as chair in the future.

Chair Rosenberg thanked the candidates for their interest in volunteering and stated that the Selectmen will make their determination later in the meeting.

**17-24 Contract Award
 Bus Service (Expanded Local Transit Program)
 TransAction Corporate Shuttles – Woburn, MA**

At the 2016 Annual Town Meeting, funding was approved for an expanded local transit program. A Request for Proposals was issued and one company submitted a proposal. An evaluation team reviewed the proposal and ranked it as highly advantageous. Staff is recommending that the Selectmen approve the contract with TransAction Corporate Shuttles. They operate a similar service in Acton and Littleton. The bus will be able to transport 14 passengers and will have space for two wheelchairs. The driver will be the same for the Bedford system and will not change on a daily basis. TransAction will help the Town with marketing. The Selectmen recommended that the bus participate in the Bedford Day parade to help with recognition.

Town Manager Richard Reed noted that Town Counsel reviewed and approved the contract.

Ms. Fleischman moved that the Selectmen approve the contract with TransAction Corporate Shuttles, Inc. for a Bus Service Pilot Program for the sums specified in TransAction's price proposal to the Town, with service commencing September 12, 2016. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

**17-25 Order of Taking
 Great Road and Mudge Way Safe Routes to School Project**

Town Engineer Adrienne St. John explained that five temporary easements are needed from five private properties and Town of Bedford lands across from the Police Station lot and the Jenks Trail as part of the proposed improvements for pedestrian and bicycle access. Two of the properties did decide to donate their easements to the Town.

The Order of Taking for the Easements will be filed later in the week at the Registry of Deeds and will expire in three years. The project will be advertised in late August or early September but the work will not be started until next summer.

Mr. Moonan moved that the Selectmen authorize the taking of temporary construction easements as defined in the attachment to the letter dated August 5, 2016 from Adrienne St. John. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

**17-26 Proposed Crosswalk Warning Signal
 Concord Road at Davis Road**

Ms. St. John explained that as part of the Safe Routes to School project, a public hearing was held, at which there were comments that a crosswalk warning signal would be helpful for those trying to cross Concord Road at Davis Road. There is a similar signal on North Road. The light will blink yellow but will not be a stop light, as the area does not meet the necessary pedestrian count for a stop light.

Ms. Fleischman moved that the Selectmen authorize the Department of Public Works to install a crosswalk warning signal at Concord Road and Davis Road. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

**17-27 Conceptual Design of Intersection Improvements & Chapter 90 Project Requests
North Road at Pine Hill Road & North Road at Chelmsford Road
Green International Affiliates – Westford, MA**

Green International Affiliates, Inc. (GIA) submitted the lowest responsible bid to provide an intersection improvement conceptual design for North Road at Chelmsford Road and North Road at Pine Hill Road. GIA will conduct research and will attend five meeting with the Town; three of which will be held for the public to provide input/concerns.

Ms. St. John is requesting \$90,000 from Chapter 90 funds. The work will not begin until that funding is received.

Ms. Fleischman moved for the Selectmen to approve the expenditure of \$90,000 in Chapter 90 funds for the conceptual design of intersection improvements at North Road at Chelmsford Road and North Road at Pine Hill Road. Mr. Siegenthaler seconded the motion.

The motion passed 5-0-0.

Ms. Fleischman moved to approve the contract between the Town of Bedford and Green International Affiliates, Inc. in the amount of \$76,856.28. Mr. Siegenthaler seconded the motion.

The motion passed 5-0-0.

17-28 Extension of Financial Articles Appropriated Prior to FY16

Finance Director Victor Garofalo presented the Selectmen with articles that the Town and School are requesting be extended or carried forward. Mr. Garofalo noted that a vote was needed for an extension of these articles. The amount to be extended is \$664,951.53.

Facilities Director Taissir Alani explained that capital funds for energy efficient projects tend to be extended because the Town has to be prepared to pay for the full project while they wait to hear if a grant will be received.

Mr. Moonan made a motion to approve extending the Capital Articles laid out in the memo by Finance Director Victor Garofalo dated 8/4/2016 totaling \$664,951.53. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

17-29 September 8, 2016 Primary Election Warrant – Approval

Mr. Siegenthaler moved to approve the September 8, 2016 State Primary Election Warrant. Ms. Fedele seconded the motion.

The motion passed 5-0-0.

17-30 Delegation of Authority to Approve to One-Day Special Licenses for Period of August 9, 2016 to September 6, 2016

Ms. Fedele moved that the Selectmen grant authority to approve and sign one-day special alcohol license request to the Town Manager or Acting Town Manager for the period of August 9, 2016 to September 6, 2016. Mr. Siegenthaler seconded the motion.

The motion passed 5-0-0.

**17-31 Request for Alcoholic Beverage License Fee Proration
Mina, LLC d/b/a Peppers Grille**

Mr. Siegenthaler moved to prorate the all alcohol license for Mina, LLC d/b/a Peppers Grille at half the calendar year rate. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

**17-32 Miscellaneous Action Items
Requests for One-Day Special Liquor Licenses
North Shore Bartending Services f/b/o Davis Companies – Crosby Drive –
August 25, 2016**

Ms. Fleischman moved to approve the one-day special liquor license for North Shore Bartending Services, Inc., for an event at The Xchange at Bedford, 4-18 Crosby Drive on August 25, 2016 from 5:30 -7:30 p.m. Mr. Moonan seconded the motion.

The motion passed 5-0-0.

17-33 Minutes – Regular Session Minutes – July 25, 2016

Mr. Moonan moved to approve the Regular Session minutes of July 25, 2016 as amended. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

17-34 Town Manager's Report

Mr. Reed stated that the Town received word that local aid this year will amount to \$169,130.

Mr. Reed provided a list of tentative Special Town Meeting Warrant Articles as follows:

1. Debate Rules
2. Creation of Special Revenue Account for Cable PEG Access Funds
3. Zoning Bylaw Amendments (several housekeeping items)
4. Bond Authorization for Town-wide Water Meter Replacement Program
5. Community Preservation Surcharge Effective July 1, 2017
6. Amend FY17 Community Preservation Budget
7. Funding of Collective Bargaining Agreements (as ready)
8. FY17 Operating Budget Amendments
9. Stabilization Fund Appropriation

Mr. Reed mentioned that the Town needs to issue Request for Proposals for the Museum Study and a Classification Study.

17-35 Open Discussion and Selectmen Liaison Reports

Ms. Fleischman mentioned that the Energy Task Force is still moving forward with the Community Choice Aggregation program.

Mr. Siegenthaler attended the Planning Board meeting where the proposed development off of Fox Run Road was discussed. Many residents expressed concern over how such a development may impact the character of the neighborhood as well as traffic in the area.

Chair Rosenberg asked about placing a temporary moratorium on medical marijuana dispensaries on the Special Town Meeting Warrant. Mr. Reed stated that he would ask Town Counsel about this.

Mr. Reed added that he would like the Selectmen to approve a Flag Lowering Policy at an upcoming Selectmen's meeting. He is going to add language to the draft policy that the Selectmen received in their packets.

17-23 Committee Appointment Interviews – Conservation Commission

Mr. Moonan stated that it makes sense to reappoint someone who is already familiar with the laws.

Mr. Siegenthaler expressed concern over the current members not endorsing someone that they served with before.

Mr. Moonan moved to appoint Tim Gray to the Conservation Commission for a term ending June 30, 2019. Ms. Fleischman seconded the motion.

The motion passed 5-0-0.

Ms. Fleischman moved to adjourn. Mr. Siegenthaler seconded the motion.

The Selectmen were polled individually: Moonan, aye, Siegenthaler, aye, Fleischman, aye, Rosenberg, aye and Fedele, aye.

The motion passed 5-0-0.

The meeting adjourned at 9:34 p.m.